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EXAMINER

SOLOMON, GARY L

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/754,781

Applicant(s)

MIYAZAKI ET AL.

Examiner

Gary L Solomon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11, 21-31, 41, 42, and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Ueno (US 5,479,206).

For claim 1, Ueno discloses a system for managing information (Figure 2), comprising:

a peripheral device (Figure 1, Item 10) configured to selectively capture said information (Column 11, Lines 24-45); and

a control device (Figure 1, Item 30) configured to receive said information from said peripheral device (Figure 1, Item 10), said control device responsively processing and storing said information (Column 11, Lines 39-45).

For claim 2, Ueno discloses all the previous limitations of claim 1, and also wherein said information includes at least one of image data (Column 11, Lines 25-30) and non-image data (Column 1, Lines 42-44).

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For claim 3, Ueno discloses all the previous limitations of claim 1, and also wherein said peripheral device (Figure 1, Item 10) comprises **at least one of** an imaging data capture device (Figure 2, Item 13) and a non-imaging data capture device, said imaging data capture device **including one of** a scanner, a video camera (Figure 1, Item 10), a barcode reader, and an image sensor device, said non-imaging data capture device including one of a computer, an environmental measurement device, an audio device, a medical device, and a sensor device.

For claim 4, Ueno discloses all the previous limitations of claim 1, and also wherein said peripheral device includes **at least one of** a data capture module (Figure 1, Item 10; The camera captures images, which are data), a power supply (Column 13, Lines 60-61), and an input/output interface (Figure 2, Item 9).

For claim 5, Ueno discloses all the previous limitations of claim 1, and also wherein said control device (Figure 2, Item 30) is implemented as a camera device (Figure 2, Item 32B; Column 13, Lines 22-31; The camera control device on the host computer allows a user to control camera functions that take place on the camera or peripheral device. Therefore, the control is implemented as a camera device.).

For claim 6, Ueno discloses all the previous limitations of claims 1 and 5, and also wherein said camera device includes **at least one of** a capture subsystem, a viewfinder (Figure 2, Item 5A; Column 11, Lines 35-39), and a control module (Figure 2, Item 30; The computer controls the whole system.).

For claim 7, Ueno discloses all the previous limitations of claims 1, 5, and 6, and also wherein said control module (Figure 2, Item 30) includes **at least one of** a central

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processing unit (Figure 2, Item 31), a memory (Figure 2, Item 32), and one or more input/output interfaces (Figure 2, Item 33).

For claim 8, Ueno discloses all the previous limitations of claims 1, 5, 6, and 7 and also wherein said memory (Figure 2, Item 32) includes **at least one** of a camera application (Figure 2, item 32B; Column 13, Lines 25-27)), an operating system (Figure 8), a transfer manager (Figure Item 32A), a processing manager, a display manager (Figure 2, Item 34), data storage (Column 13, Lines 22-24), and a storage manager (Column 13, Lines 22-31; The storage and processing manager are inherent. Figure 8 illustrates an operating system that runs on the host computer, which includes file managing, processing, and storage and display.).

For claim 9, Ueno discloses all the previous limitations of claims 1, 5, 6, 7, and 8 and also wherein said processing manager (The processing manager is inherent in the operating system illustrated in Figure 8) **includes one or more** processing modules, said processing modules each being designed to process and manipulate a different type of said information that is downloaded from a different type of said peripheral device (The processing manager also take data input from the keyboard and mouse. The keyboard and mouse are peripherals.).

For claim 10, Ueno discloses all the previous limitations of claims 1, 5, 6, 7, 8, and 9, and also wherein said at least one of said processing modules includes **at least one** of a demosaicing routine, a sharpening routine, a compression routine, a sizing routine, and an image processing routine (Figure 8; The processing module performs white balance, black balance, and exposure control. These are image processing routines.).

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For claim 11, Ueno discloses all the previous limitations of claims 1, 5, 6, and 7 and also wherein said input/output interfaces (Figure 2, Item 33) allow said camera device (Figure 2, Item 32B) to communicate with **at least one** of a distributed computer network, a host computer, a cellular telephone, said peripheral device (Figure 2, Item 33 connects to Figure Item 9 of the said peripheral device.), an Internet network, a printer device, a wireless communications system, a removable storage media device, and a user interface.

Claims 21-31 have been analyzed and are method claims for system claims 1-11. They are rejected under the same grounds as claims 1-11.

For claim 41, Ueno discloses all the previous limitations of claim 21 and also wherein a capture subsystem (Figure 2, Item 18) initially receives said information from said peripheral device (Figure 2, Item 10) through a data input (inherent) that provides said information to one (Figure 2, Item 33) or more downstream data handling modules (Figure 1, Item 21, 22, 25,27) from at least one of said capture subsystem (Figure 1, Item 18) and said control device (Figure 2, Item 9), said information including at least one of analog information and digital information.

The capture subsystem (Camera Control Unit) receives both digital and analog through several modules (Figure 1, Item 21, 22 25,27). It also receives input from the control module through the Communications Interface (Figure 1, Item 9).

Claim 42 has been analyzed and is a computer readable claim for the system of claims 1-11. They are rejected under the same grounds as claims 1-11.

Claim 43 has been analyzed and is rejected under the same grounds as claims 1-11.

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3. Claims 1, 19, 20, and 39-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Adair (US 6,424,369).

For claim 1, Adair discloses a system for managing information (Figure 4), comprising:

a peripheral device (Figure 4, Item 10) configured to selectively capture said information (Column 11, Lines 24-45); and

a control device (Figure 4, Item 22) configured to receive said information from said peripheral device (Figure 4, Item 10), said control device responsively processing and storing said information (Column 11, Lines 5-11).

For claim 19, Adair discloses all the previous limitations of claim 1, and also wherein said peripheral device is implemented with a minimal configuration to thereby reduce manufacturing costs of said peripheral device (Figure 4).

The camera is the peripheral device. It is very minimal and does not have extensive features that are present in the art.

For claim 20, Adair discloses all the previous limitations of claims 1 and 19, and also wherein said control device (Figure 4, Item 22) is a portable electronic data-recorder device (Figure 2; Item 22 is a PDA. It stores image data on its memory in Figure 4.) that includes sufficient computing capabilities to effectively process (Figure 4, Item 50), store (Figure 4, Item 88), and manage (Column 7, Lines 34-63) said information instead of utilizing said peripheral device to process, store, and manage said information.

The PDA, which is the control device, processes, stores and manages the information. The camera is the peripheral device.

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Claims 39-40 have been analyzed and are method claims for system claims 19-20.

They are rejected under the same grounds as claims 19-20.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12-13 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno (US 5,479,206).

For claim 12, Ueno discloses all the previous limitations of claims 1, 5, 6, and 7 and also wherein said peripheral device (Figure 1, Item 10) generates captured information (Image Data) by selectively capturing said information with a simplified data capture module (Figure 1, Item 10) but doesn't explicitly teach that it is economically designed, that does not include substantial data manipulation capabilities.

However, the data manipulation capabilities are included on the host computer. The host computer controls the image processing parameters such as white balance and exposure control. It also includes data and file management.

It also of design choice how to limit the image capture module technologically in order to make the device more economical.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to configure the invention of Ueno with less technological features in order to make it more economically designed.



For claim 13, Ueno discloses all the previous limitations of claims 1, 5, 6, 7, and the obvious variations of 12 and also wherein said a transfer manager in said camera device coordinates a download procedure to download said captured information to said camera device (Column 15, Lines 12-19).

The transfer manager in the operating system of the host computer downloads the images from the electronic camera when "Input" is clicked. The image information is stored in the host computer where it is sent to the camera control parameter to perform image processing on the images.

Claims 32-33 have been analyzed and are method claims for system claims 12-13. They are rejected under the same grounds as claims 12-13.

6. Claims 14-15 and 17-18 and 34-35 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno (US 5,479,206) in view of Urisaka (US 6,714,238).

For claim 14, Ueno discloses all the previous limitations of claims 1, 5, 6, 7, 12, and 13 as is stated in the previous statements of rejection. However, Ueno lacks teaching wherein said transfer manager analyzes said captured information from said peripheral device to perform an identification procedure for determining an information type corresponding to said captured information, said transfer manager responsively taking an appropriate action for handling said captured information depending upon said information type.

Ueno does in fact disclose the transfer manager, which is presented in the operating system of Figure 8. The "Input" icon allows the user to transfer the image data

form the camera to the host computer. There is only one type of data present though. Therefore, there is no need to determine a data type by the transfer manager.

Urisaka teaches a video/audio communication system (Figure 1) in which a host computer captures video and audio data and sends it to video/audio communication terminals (Figure 1). The video and audio data is captured by the peripheral devices, which are the video camera and microphone. It is well known in the art to have an audio input on a video camera.

In Figure 5, the management system (82) identifies the audio and video data, which has already been delivered to the system by the transfer manager of the video input and audio input control and then delivers it to the proper communications terminals (Column 5, line 65 through Column 6, Line39).

The Urisaka reference teaches the limitation wherein the transfer manager analyzes captured information (Video and Audio Data) from a peripheral device (Camera and microphone) to perform an identification procedure for determining an information type (video or audio) corresponding to the captured video and audio data, and wherein the transfer manager takes the appropriate action for handling the captured information depending on information type.

Both the Urisaka and Ueno teaching have a computer, which has a camera control unit in the control device, which controls the peripheral device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have to been motivated to configure the device of Ueno with the transfer manager of Ueno to determine the information type of the data and to take an appropriate action depending on the information type in order to vary the directionality of audio and input and output

according to the panning, tilting, and zooming, operations of the camera, so that the video information and audio information can be matched I the feeling of the observer, thus providing a system with improved realistic feeling suggested by Urisaka in Column 8, Lines 42-49.

For Claim 15, the combination of the Ueno and Urisaka references discloses all the previous limitations of claims 1, 5, 6, 7, 12, 13, and 14 as previously addressed.

The Urisaka reference also discloses wherein an appropriate processing module (Figure 1, Item 36, 38, 40, 48) from a processing manager (Figure 5, Item 82; Column 6, Lines 34-38) is selected by said camera device (Figure 1, Item 32), based upon said information type (Video or Audio), and is then executed by a central processing unit (Figure 1, Item 20) in said camera device (Figure 1, item 10-1) to thereby generate processed information from said captured information.

The camera device captures the video and audio and data. It then processes it and sends the correct information to the correct communication terminal as is shown in Figure 1 and is described in Column 2, Line 66 through Column 3, Line 65.

Claims 34-35 have been analyzed and are method claims for system claims 14-15. They are rejected under the same grounds as claims 14-15.

For Claim 17, the combination of the Ueno and Urisaka references discloses all the previous limitations of claims 1, 5, 6, 7, 12, 13, 14, and 15 as previously addressed.

Urisaka also discloses wherein a storage manager in the camera device inside the computer accesses and stores said processed information into an appropriate storage location that depends upon an information type of said processed information (Video or Audio; Figure 1), said appropriate storage location including **at least one** of a local

memory device in said camera device, a removable storage media device (Figure 1, Item 24), a mass storage device on a host computer (Figure 1, item 22), a network device (Figure 1, Item 30), and a wireless communications device.

The camera device is attached to the computer along with the audio capture device. The CPU in the computer determines where to store the video and audio data, and then sends the appropriate data to the communication terminals. The video and audio and audio data are also able to be stored in the main and secondary memory (Column 3, Lines 1-9; Figure 1).

For Claim 18, the combination of the Ueno and Urisaka references discloses all the previous limitations of claims 1, 5, 6, 7, 12, 13, 14, 15, and 17 as previously addressed.

Urisaka also discloses wherein at least one of said transfer manager and said storage manager includes one or more sub-modules (Figure 1, Item I tem 34, 36, 40), said sub-modules (Figure 1, Item 34, 36, 40) each being designed to handle a different type (video or audio) of said information that is downloaded from a different type of said peripheral device (Microphone or Video Camera; Item 32 or 38).

Claims 37-38 have been analyzed and are method claims for system claims 17-18. They are rejected under the same grounds as claims 17-18.

7. Claims 16 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno (US 5,479,206) in view of Urisaka (US 6,714,238) in further view of Britt Jr. (US 6,230,319).

For Claim 16, the combination of the Ueno and Urisaka references discloses all the previous limitations of claims 1, 5, 6, 7, 12, 13, 14, and 15 as previously addressed.

The processing modules (Figure 1, Item 34, 36, and 40) in the Urisaka reference are used by the computer to process the video and audio information and also for camera control.

Ueno illustrates in Figure 1 a personal computer. The personal computer contains the camera device. It is known to connect personal computers to an external network and download new features to them from the external network.

However, neither Urisaka nor Ueno teach downloading an appropriate processing module through an input/output interface when it is not available on the camera device.

Nevertheless Britt Jr. teaches to download a processing module from an external source such as a computer network, wireless communication system, or Internet network when the processing module is not available on the camera device (Figure 7; Column 8, Lines 40-59).

The upgrade is available to download if it is not present in the web TV client device.

Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to configure the obvious combination of Urisaka and Ueno with a downloading capability of downloading processing modules from an external source when they are not available on the camera device in order to update the camera device with new features as is taught by Britt Jr. in Column 8, Lines 40-58 and Figure 7.

Claims <sup>36</sup>~~16~~ have been analyzed and are method claims for system claims 16. They are rejected under the same grounds as claims 16.

***Conclusion***

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L Solomon whose telephone number is (703)-305-4370. The examiner can normally be reached on Monday - Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (703)-305-4946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GLS

  
NGOC-YEN VU  
PRIMARY EXAMINER